

18 May, 2015

Sub-committee: Bill Ferguson, Rajeev Madnawat and Syed Mohsin.

1. Contributions:

1a) Any person/business with a project pending before the city, shall not contribute to a candidate directly or indirectly. This means, any project that requires approval by the city council, the planning commission or any Milpitas Commission. It does not apply to persons with routine business with the city, like a business license. This prohibition shall be extended to all officers of the corporation, including all immediate family members.

1b) Any person/business who has a contract with the city, that the expected payment is over \$1,000, shall be prohibited from making a campaign contribution. This prohibition shall apply for 6 months period before the election.

1c) No contribution before 6 months of election i.e. May of election year. Also, no contribution after election is over.

1d) Election committee need to close by January 31 after election.

Example: Yes, San Francisco currently has this law.

2. Penalties:

Penalties shall be applied in relationship with the seriousness of the offense. For serious or intentional violations of this code, the penalty shall be disqualification from holding the office and prohibition on running for office for 10 years.

If the violation has a material effect on the election, the candidate shall suffer loss of office.

For example, if the violation is under 1/4 of the total spent on the campaign, or less than \$5,000, then the penalty shall be to repay 3 times the amount of the violation. If the violation is over 1/4 of the total spent, or over \$5,000, then the penalty shall be: Loss of the office.

Example: Yes, Santa Clara has penalties spelled out, up to and included removal from office.

3. Standing:

Any registered voter of Milpitas has standing to file a suit on the behalf of the voters of Milpitas. After filing a complaint with the city of Milpitas. The city has 90 days to respond, to inform the petitioner if they will respond or not. If the city does not take action, then the registered voter can file an enforcement suit. **Prevailing part will get the attorney fees.**

Example: Yes, the City of Santa Clara gives residents the power to sue in a civil action.

(PS: Highlighted texts were added during the meeting.)